

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

THOMAS E. MERTZ,
Plaintiff

V.

DONZI MARINE, INC. and
AMERICAN MARINE HOLDINGS,
INC., in its own right and d/b/a
DONZI MARINE,

Defendants and Third-Party Plaintiffs

V.

THE BOAT STORE
Third-Party Defendant

CIVIL ACTION - LAW

JURY TRIAL DEMANDED

THE HONORABLE MAURICE B. COHILL, JR.

NO.: 1:04-cv-0055

**MEMORANDUM OF LAW IN SUPPORT
OF THE MOTION FOR RECONSIDERATION**

Defendants and Third-Party Plaintiffs, Donzi Marine, Inc. and American Marine Holdings, Inc., through its attorneys at Sweeney & Sheehan, P.C. hereby incorporate its prior Memorandum of Law which was attached to its Motion to Amend the Third-Party Complaint as though fully set herein at length.

Respectfully submitted,

SWEENEY & SHEEHAN

BY:

Robyn F. McGrath, Esquire
Identification No.: 55892
Attorney for Defendants and
Third-Party Plaintiffs,
Donzi Marine, Inc. and American
Marine Holdings, Inc.

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Date: June 14, 2007